

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

DANNY WHITE, #39512

PETITIONER

VS.

CIVIL ACTION NO.: 3:05CV624WHB-JCS

DARRYL ANDERSON, ET AL

RESPONDENTS

ORDER

This cause came to be heard upon the Report and Recommendation of United States Magistrate Judge, after referral of hearing by this Court, and the Court, having fully reviewed the Report and Recommendation of the United States Magistrate Judge entered in this cause on or about April 17, 2006, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge James C. Sumner, entered on or about April 17, 2006, be, and the same is hereby, adopted as the finding of this Court, and the Petition for Writ of Habeas Corpus filed by Danny White is dismissed with prejudice.

IT IS FURTHER ORDERED that the Motion of Respondents to Dismiss [#15] is hereby granted.

A separate judgment will be entered this day dismissing this cause of action with prejudice.

SO ORDERED this the 20th day of June, 2006.

s/William H. Barbour, Jr.

UNITED STATES DISTRICT JUDGE